

Document No. 2968
Adopted at Meeting of 12/5/74

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December 5, 1974

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MEMORANDUM

December 5, 1974

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing date: 12/10/74

Petition No. Z-3213
President and Fellows of
Harvard College
25 Shattuck Street, Roxbury

Petitioner seeks a variance to erect a six-story addition to a research laboratory structure in an apartment (H-3) district. Proposal violates the code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 23-3. Off-street parking is insufficient.	36 spaces	0

Property, located between Shattuck Street and Longwood Avenue, contains the Harvard Medical School complex. The proposed facility, to be known as the Seeley G. Mudd Building, would be utilized for biochemical research and office space. Following is recommended: that upon completion, the petitioner file an affidavit with the Board of Appeal indicating that the displaced off-street parking and the required parking for the Seeley Mudd structure has been provided; that plans be submitted to the Authority for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3213, brought by the President and Fellows of Harvard College, 25 Shattuck Street, Roxbury, in the Fenway Urban Renewal Area, for a variance to erect a six-story addition to a research laboratory structure in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval provided that the displaced off-street parking and the required parking for the Seeley G. Mudd structure has been provided; that plans be submitted to the Authority for design review.



Z-3213
25 SHATTUCK ST.
(ROX.)

Board of Appeal Referrals 12/5/74

Hearing date: 12/17/74

Petition No. Z-3215
 Richard E. McKeen
 25 Mt. Ida Road, Dorchester

Petitioner seeks a conditional use and a variance for a change of occupancy from a three-family dwelling to a halfway house (alcoholic rehabilitation home) in a residential (R-.8) district. Proposal violates the code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A boarding house is conditional in an R-.8 district.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1500 sf/du	0

Property, located near the intersection of Bowdoin Street, contains a three-story frame structure. Facility, planned and sponsored by residents in the area, would accommodate 18 beds. The Meetinghouse Hill Civic Association has indicated approval. Following is recommended: that the permit be granted in the name of the petitioner and extend to the use of the rehabilitation home for alcoholics only; that the permit expire upon sale, lease, or other disposition of the whole or any part of the building by the petitioner; that there be no addition to or alterations of the structure. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3215, brought by Richard E. McKeen, 25 Mt. Ida Road, Dorchester, for a conditional use and a variance for a change of occupancy from a three-family dwelling to a halfway house (alcoholic rehabilitation home) in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the permit be granted in the name of the petitioner and extend to the use of the rehabilitation home for alcoholics only; that the permit expire upon sale, lease, or other disposition of the whole or any part of the building by the petitioner; that there be no additions to or alterations of the structure.

Z-3215
25 MT IDA ROAD
(DOR.)



Board of Appeal Referrals 12/5/74

Hearing date: 12/10/74

Petition No. Z-3216

Alfred Provenzano and Joseph Guarnotta
523-525 East Third Street, South Boston

Petitioner seeks a conditional use and a variance for a change of occupancy from a two-family dwelling and store to a two-family dwelling and private club in a local business (L-1) district. Proposal violates the code as follows:

Section 8-7. A private club is conditional in an L-1 district.

Section 23-2. Off-street parking is insufficient.

Property, located near the intersection of I Street, contains a three-story frame structure. The neighborhood is predominantly residential. Proposal does not comply with conditional use requirements: the site is inappropriate, the proposed use would have a disturbing effect on residents and abutters, off-street parking is insufficient. Recommend denial.

VOTED: That in connection with Petition No. Z-3216, brought by Alfred Provenzano and Joseph Guarnotta, 523-525 East Third Street, South Boston, for a conditional use and a variance for a change of occupancy from a two-family dwelling and store to a two-family dwelling and private club in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. The neighborhood is predominantly residential. Proposal does not comply with conditional use requirements: the site is inappropriate, the proposed use would have a disturbing effect on residents and abutters, off-street parking is insufficient.

9125-7

523-525 E. THIRD ST.

(S.B.)

Board of Appeal Referrals 12/5/74

Hearing date: 12/10/74

Petition No. Z-3218

Ben Jacobs

243-255 Hancock Street, Dorchester

Petitioner seeks a conditional use to remodel an existing six-car-wash structure in a local business (L-.5) district. Proposal violates the code as follows:

Section 8-6. A change in a conditional use requires Board of Appeal approval.

Property, located near the intersection of Pleasant Street, contains a one-story masonry structure. Proposed renovations would improve the site and enhance the area. Following is recommended: that an adequate drainage system be provided to prevent water from flowing into street; that the front of the property be suitably landscaped; that all nonconforming signs be removed. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3218, brought by Ben Jacobs, 243-255 Hancock Street, Dorchester, for a conditional use to remodel an existing six-car-wash structure in a local business (L-.5) district. the Boston Redevelopment Authority recommends approval with the following conditions: that an adequate drainage system be provided to prevent water from flowing into street; that the front of the property be suitably landscaped; that all nonconforming signs be removed. Proposed renovations would improve the site and enhance the area.

Z-3218
243-255 HANCOCK ST.
(DOR.)

Board of Appeal Referrals 12/5/74

Hearing date: 12/10/74

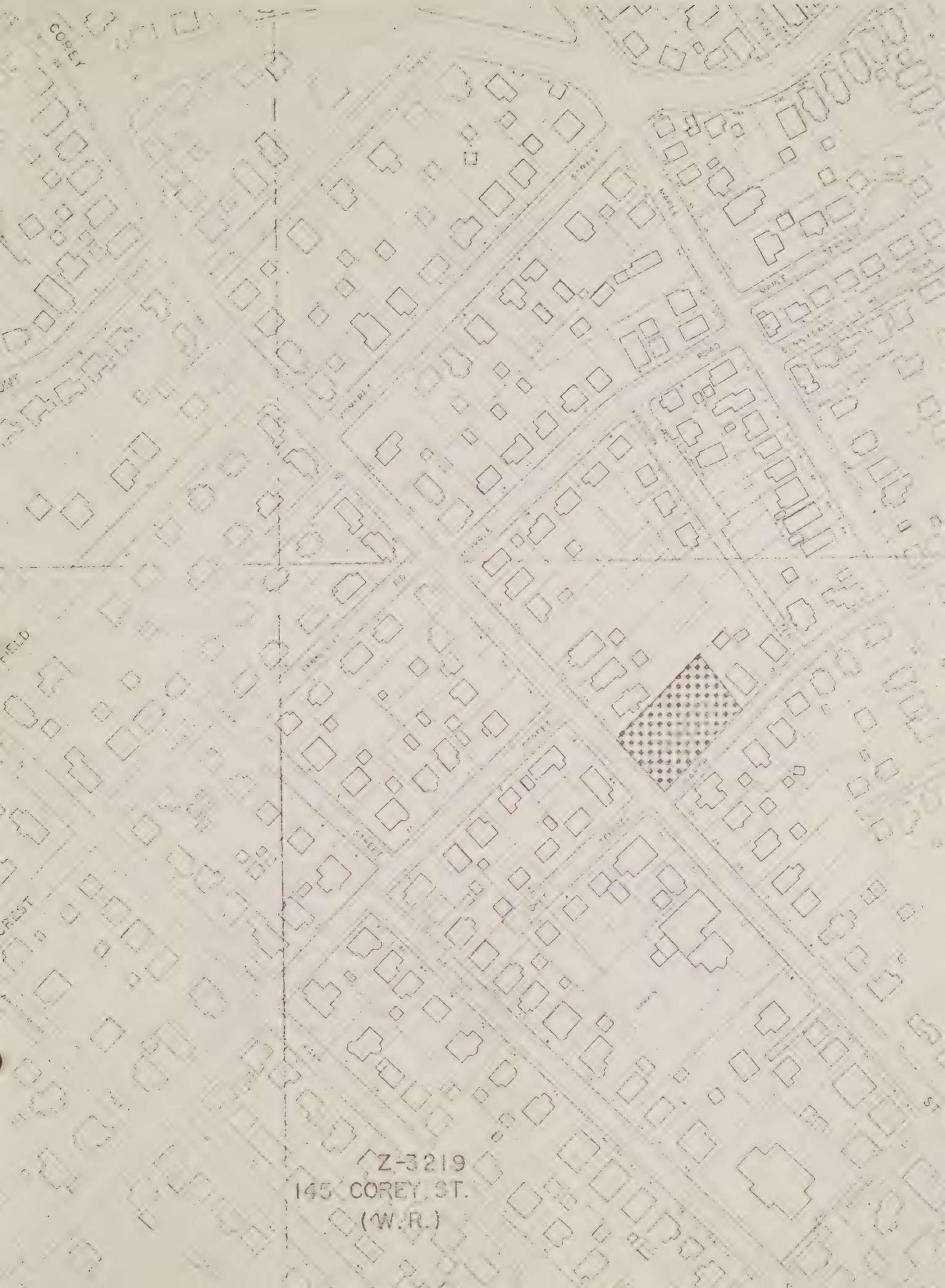
Petition No. Z-3219
John E. Klatt
145 Corey Street, West Roxbury

Petitioner seeks a forbidden use and a variance for a change of occupancy from a one-family dwelling and barn to four apartments in a single-family (S-.3) district. Proposal violates the code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families is forbidden in an S-.3 district.		
Section 18-4. Front yard is insufficient.	30 ft.	20 ft.

Property, located at the intersection of Garth Road, contains a three-story frame structure. The proposal is contrary to the one- and two-family nature of the neighborhood. A two-family density would be the maximum acceptable. Recommend approval of two units.

VOTED: That in connection with Petition No. Z-3219, brought by John E. Klatt, 145 Corey Street, West Roxbury, for a forbidden use and a variance for a change of occupancy from a one-family dwelling and barn to four apartments in a single-family (S-.3) district, the Boston Redevelopment Authority recommends approval of two units. The proposal as submitted is contrary to the one- and two-family nature of the neighborhood. A two-family density would be reasonable and compatible with existing residential properties.



Z-3219
145 COREY ST.
(W.R.)

Board of Appeal Referrals 12/5/74

Hearing date: 12/10/74

Petition No. Z-3220
Thelma and Lee Gudmand
29-31 Goodrich Road, Jamaica Plain

Petitioner seeks a forbidden use and five variances for a change of occupancy from a two-family dwelling to a three-family dwelling in a residential (R-.5) district. Proposal violates the code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families which does not meet the requirements for lot area and open space is forbidden in an R-.5 district.		
Section 14-1. Lot area is insufficient.	2 acres	4224 sf
Section 14-3. Lot width is insufficient.	200 ft.	60 ft.
Section 14-4. Street frontage is insufficient.	200 ft.	60 ft.
Section 17-1. Open space is insufficient.	1000 sf/du	824 sf/du
Section 18-1. Front yard is insufficient.	25 ft.	12 ft.

Property, located near the intersection of Central Street, contains a 2½-story frame structure. Adjacent residences on this dead end street are predominantly two-family. The additional density would be unwarranted. Parking plan placing cars back to back is inadequate. Recommend denial.

VOTED: That in connection with Petition No. Z-3220, brought by Thelma and Lee Gudmand, 29-31 Goodrich Road, Jamaica Plain, for a forbidden use and five variances for a change of occupancy from a two-family dwelling to a three-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. Adjacent residences on this dead end street are predominantly two-family. Additional density would be unwarranted. Parking plan placing cars back to back is inadequate.



Z-3220
29-31 GOODRICH RD.
(J.P.)

Board of Appeal Referrals 12/5/74

Hearing date: 12/17/74

Petition No. Z-3222
 Hermes R. Berlin
 44 Dietz Road, Hyde Park

Petitioner seeks a variance to erect a one-story garage accessory to a one-family dwelling in a single-family (S-.3) district. Proposal violates the code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 18-4. Front yard is insufficient.	25 ft.	3 ft.

Property, located at the intersection of Wharton Court, contains a one-story frame structure. Proposed setback of only three feet would be incompatible with adjacent properties and would tend to create an undesirable precedent. A setback of approximately ten feet would be more appropriate and is recommended. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-3222, brought by Hermes R. Berlin, 44 Dietz Road, Hyde Park, for a variance to erect a one-story garage accessory to a one-family dwelling in a single-family (S-.3) district, the Boston Redevelopment Authority recommends approval provided garage is set back approximately ten feet. Proposed setback of only three feet would be incompatible with adjacent properties and would tend to create an undesirable precedent.

STONY BROOK
RESERVATION

Z-3222
44 DIETZ ROAD
(H.P.)

Board of Appeal Referrals 12/5/74

Hearing date: 12/17/74

Petition No. Z-3223
Jenny Oil Co., Inc.
2022 Commonwealth Avenue, Brighton

Petitioner seeks a forbidden use to replace existing underground gas storage tanks and increase storage capacity from 6,000 gallons to 24,000 gallons in a residential (R-.5) district. Proposal violates the code as follows:

Section 8-7. A gas service station is forbidden in an R-.5 district.

Property, located at the intersection of Wade Street, contains a gas service station. Existing storage tanks are old and outmoded. Deliveries to the facility would be reduced considerably. Proposal must comply with City and State safety regulations. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-3223, brought by Jenny Oil Co., Inc., 2022 Commonwealth Avenue, Brighton, for a forbidden use to replace existing underground gas storage tanks and increase storage capacity from 6,000 gallons to 24,000 gallons in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval provided that the proposal comply with City and State safety regulations. Deliveries to the facility would be reduced considerably.

Z-3223
2022 COMMONWEALTH AVE.
(BRI.)



Board of Appeal Referrals 12/5/74

Hearing date: 12/17/74

Petition No. Z-3224
Appleton Place Company
William S. Moonan
3 Appleton Street, Boston

Petitioner seeks three variances for a change of occupancy from furniture storage and restaurant to 22 apartments, offices, and restaurant in a general business (B-4) district. Proposal violates the code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive.	4	6
Section 17-1. Open space is insufficient.	150 sf/du	0
Section 19-1. Side yard is insufficient.	10 ft.	0

Property, located near the intersection of Tremont Street in the South End Urban Renewal Area, contains a five-story masonry structure. A proposed roof sun deck would tend to mitigate the open space deficiency. Following is recommended: that the petitioner indicate in writing to the Board of Appeal the acquisition or lease of facilities to provide a minimum of 13 parking spaces; that plans be submitted to the Authority for design review. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3224, brought by Appleton Place Company, 3 Appleton Street, in the South End Urban Renewal Area, for three variances for a change of occupancy from furniture storage and restaurant to 22 apartments, offices, and restaurant in a general business (B-4) district, the Boston Redevelopment Authority recommends approval provided that the petitioner indicate in writing to the Board of Appeal the acquisition or lease of facilities to provide a minimum of 13 parking spaces and that plans be submitted to the Authority for design review.



Z-3224
3 APPLETON ST.
(B.P.)

Board of Appeal Referrals 12/5/74

Hearing date: 12/17/74

Petition No. Z-3225
Carlo Castaldini
31-33 Lexington Street, East Boston

Petitioner seeks a variance to combine lots and erect a two-story four-unit apartment structure in an apartment (H-1) district. Proposal violates the code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 14-2. Lot area for additional dwelling unit is insufficient.	1000 sf/du	0

Property, located near the intersection of Meridian Street, contains 5,000 square feet of vacant land. The four-family density conforms with the residential nature of the neighborhood. Four parking spaces would be provided. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3225, brought by Carlo Castaldini, 31-33 Lexington Street, East Boston, for a variance to erect a two-story four-unit apartment structure in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Proposed density conforms with the residential nature of the neighborhood.

Z-3225

31-33 LEXINGTON ST.
(E.B.)



Board of Appeal Referrals 12/5/74

Hearing date: 12/10/74

Petition No. Z-3230
Anthony D. Cicconi
20 Snow Street, Brighton

Petitioner seeks four variances for a change of occupancy from a contractor's office (carpenter and plumber) to three apartments and resident doctor's office; and to erect a one-story addition in a residential (R-.8) district. Proposal violates the code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 10-1. Accessory off-street parking shall be located more than five feet from the side lot line.		
Section 14-2. Lot area for additional dwelling unit is insufficient.	1500 sf/du	335 sf/du
Section 17-1. Open space is insufficient.	800 sf/du	400 sf/du
Section 20-1. Rear yard is insufficient.	40 ft.	9 ft.

Property, located near the intersection of Union Street, contains a vacant two-story frame structure. Proposal would remove a nonconformity and restore the building to an occupancy consistent with the residential street. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3230, brought by Anthony D. Cicconi, 20 Snow Street, Brighton, for four variances for a change of occupancy from contractor's office (carpenter-plumber) to three apartments and resident doctor's office, and to erect a one-story addition in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Proposal would remove a nonconformity and restore the building to an occupancy consistent with the residential street.

WASHINGTON

Z-3230
20 SNOW ST.
(BRI.)



Board of Appeal Referrals 12/5/74

Hearing date: 12/3/74

Petition No. Z-3231
Shell Oil Company
1 Rutherford Avenue, Charlestown

Petitioner seeks a conditional use and three variances to replace an existing gas service station with a new service facility in a local business (L-1) district. Proposal violates the code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A gas service station is conditional in an L-1 district.		
Section 18-1. Front yard is insufficient.	10 ft.	6 ft.
Section 19-6. Height of fence is excessive.		
Section 20-1. Rear yard is insufficient.	20 ft.	3 ft.

Property, located at the intersection of Harvard Street in the Charlestown Urban Renewal area, contains a gas service station which would be replaced by a modern facility. The site has accommodated the use for many years.
Recommend approval with guideline proviso.

VOTED: That in connection with Petition No. Z-3231, brought by Shell Oil Company, 1 Rutherford Avenue, in the Charlestown Urban Renewal Area, for a conditional use and three variances to replace an existing gas service station with a new service facility in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided the facility conform to Board of Appeal guidelines for gas service stations.

Z-3231
1 RUTHERFORD AVE.
(Chsn.)

FREDERICK D. EMMONS
PLAYGROUND

RUTHERFORD

CHOCOMACK

HARTFORD SQUARE

WINDMILL

CITY SQUARE

FEDERAL

Board of Appeal Referrals 12/5/74

Hearing date: 12/10/74

Petition No. Z-3232
Frederic B. Williams, Jr.
675-677 South Street, Roslindale

Petitioner seeks a conditional use and a change in a nonconforming use for a change of occupancy from wholesale-retail of eggs and garage to auto repair shop garage in a local business (L-1) district. Proposal violates the code as follows:

Section 8-7. A repair garage is conditional in an L-1 district.

Section 9-2. A change in a nonconforming use requires Board of Appeal approval.

Property, located at the intersection of Lee Hill Road, contains a one-story masonry structure. The repair facility is already existing. Following conditions are recommended: that hours of operation be limited to 8 A.M.—6 P.M., Monday through Saturday; that all work be performed within the structure; that there be no exterior storage or on-street parking of vehicles. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3232, brought by Frederic B. Williams, Jr., 675-677 South Street Roslindale, for a conditional use and a change in a nonconforming use for a change of occupancy from wholesale-retail of eggs and garage to auto repair shop garage in a local business (L-1) district, the Boston Redevelopment Authority recommends approval with the following conditions: that hours of operation be limited to 8 A.M.—6 P.M., Monday through Saturday; that all work be performed within the structure; that there be no exterior storage or on-street parking of vehicles.

An aerial photograph of a residential neighborhood. The map shows a grid of streets and numerous houses. A specific property is highlighted with a black dot pattern. The property is located at the intersection of a street and a road. The text 'JAMES F. HEALY' is printed above the address, 'CLAYTON' is printed below it, and the address '675-677 SOUTH ST. (ROS.)' is printed below that. The street name 'SOUTH ST.' is visible on the map. The road name 'CLAYTON' is visible on the map. The address '675-677' is visible on the map. The text '(ROS.)' is visible on the map.

JAMES F. HEALY
CLAYTON
675-677 SOUTH ST.
(ROS.)

Board of Appeal Referrals 12/5/74

Hearing date: 12/17/74

Petition No. Z-3235
 Leon M. Cangiano, Jr.
 150-152 Commercial Street, Boston

Petitioner seeks a variance for a change of occupancy from storage to five apartments in an apartment urban renewal (H-5-U) subdistrict. Proposal violates the Code as follows:

	<u>Required</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive.	5	5.1

Property, located near the intersection of Richmond Street in the Waterfront Urban Renewal Area, contains a five-story masonry structure recently conveyed to the petitioner by the Authority for residential occupancy. Violation is minimal. Proposal is consistent with Authority "Standards for Renovation" guidelines. Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3235, brought by Leon M. Cangiano, Jr., 150-152 Commercial Street, in the Waterfront Urban Renewal Area, for a variance for a change of occupancy from storage to five apartments in an apartment urban renewal (H-5-U) subdistrict, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Property was recently conveyed to the petitioner by the Authority for residential occupancy. Violation is minimal.

Z-3235
O-152 COMMERCIAL ST.
(B.P.)



Board of Appeal Referrals 12/5/74

Hearing date: 1/14/75

Petition No. Z-3239
Spaulding and Slye Corporation
One Washington Mall Trust
Charles R. Hefford, Trustee
1 Washington Mall, Boston

Petitioner seeks a conditional use to erect a 3' x 3' projecting sign in a general business urban renewal (B-8-U) subdistrict. Proposal violates the code as follows:

Section 11-2. Sign frontage is less than 18 feet.

Property, located at the intersection of City Hall Plaza, contains a 14-story office and retail structure. The sign has been reviewed by the staff; size and location will be consistent with existing building signage.
Recommend approval.

VOTED: That in connection with Petition Z-3239, brought by Spaulding and Slye Corporation, One Washington Mall Trust, 1 Washington Mall, in the Government Center Urban Renewal Area, for a conditional use to erect a 3' x 3' projecting sign in a general business urban renewal (B-8-U) subdistrict, the Boston Redevelopment Authority recommends approval. Size and location of sign will be consistent with existing building signage.

WASHINGTON MALL
(B.P.)

WASHINGTON MALL

Board of Appeal Referrals 12/5/74

Hearing date: 12/17/74

Petition No. Z-3242
Harbor Towers Trust
Stella Restaurant, Inc.
70 East India Row, Boston

Petitioner seeks a conditional use to erect a 4' x 25' illuminated sign in a general business urban renewal (B-8-U) subdistrict. Proposal violates the code as follows:

Section 11-2. A sign attached parallel to a building may be no higher than 25 feet above grade.

Section 11-2. Total area of permanent signs on the building frontage is excessive.

Property, located at the intersection of Atlantic Avenue in the Waterfront Urban Renewal Area, contains a seven-level garage structure. The huge sign (Stella Restaurant) would be erected on the roof of the garage for the purpose of attracting customers to the restaurant. Petition must be in error, as proposal is subject to the Land Disposition Agreement of August 1, 1967, which states in effect that there will be no changes made in the plans as approved by the Authority without prior written approval. Recommend denial.

VOTED: That in connection with Petition No. Z-3242, brought by Harbor Towers Trust, and Stella Restaurant, Inc., 70 East India Row, in the Waterfront Urban Renewal Area, for a conditional use to erect a 4' x 25' illuminated sign in a general business urban renewal (B-8-U) subdistrict, the Boston Redevelopment Authority recommends denial. The petition must be in error, as the proposed sign is subject to the Land Disposition Agreement of August 1, 1967, which states in effect that there will be no changes made in the plans as approved by this Authority without prior written approval; no request for approval has been filed.

STATE

Z-3242
70 EAST INDIA ROW
(B.P.)

